

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION

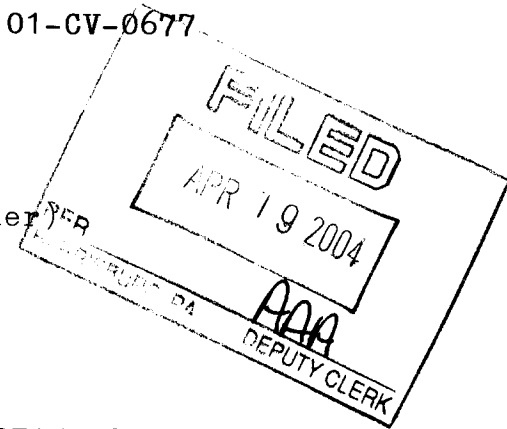
Emanuel T. Newman,
Plaintiff,

-Vs-

Louis Caprio and
James P. White,
Defendant,

Case no: 1:01-CV-0677

(Judge Conner) PER



PLAINTIFF'S MOTION TO MODIFY WRIT OF HABEAS CORPUS
AD TESTIFICANDUM

Comes Now, Emanuel Thomas Newman, plaintiff (hereinafter Newman), and moves this court to MODIFY it's writ of habeas corpus ad testificandum that it issued on March 25, 2004.

In support thereof Newman states the following:

1) On January 6, 2004, this court issued an order in which it stated "...upon consideration of plaintiff's motion for writ of habeas corpus ad testificandum..., seeking a court order compelling the production of plaintiff at trial in the above-captioned case in 'proper attire,' other than a prison uniform,, and requiring priosn officials to allow plaintiff access to all pertinent documentation..."

2) The writ of habeas corpus ad testificandum issued by this court on March 25, 2004 only instructs the U.S. MARshal Service to produce this plaintiff in street clothes, and says nothing at all concerning him being able to bring the his legal documents, exhibits, and other materials with him.

3) Plaintiff has been informed by several sources (Legal Aid) that if the writ issued by this court does not set forth specifically what this plaintiff is to have with him. That the United States Marshal Service **WILL NOT** move him with with anything other than "wearing street clothes," and his legal material will be returned to the institution that he was picked up from.

4) The plaintiff, would state to this court that he does not have an overwhelming amount of documents and legal material to bring with him.


ITEMS PLAINTIFF INTENDS TO BRING WITH HIM:

PRISONER'S SELF-HELP MANUEL. (BOOK)
BLACKS LAW DICTIONARY (BOOK)
CIVIL RULES PROCEDURE (BOOK) SMALL IN SIZE
RULES OF EVIDENCE (BOOK) SMALL IN SIZE

THE EQUIVALENT OF 10 INCHES OF 8½ X 11 SHEETS STACKED FACE DOWN--OF EXHIBITS AND OTHER LEGAL DOCUMENT RELATED TO THE CAPTIONED CASE.

5) Therefore, plaintiff moves this court to modify it's prior writ of habeas corpus ad testificandum so as to allow him to bring with him and have access to while he is being confined waiting to go to trial, all of the following listed items so that he can study and work on his case. Plaintiff, is not an attorney and needs every monemt he can get in order to prepare for trial.

Respectfully submitted by,


Emanuel Thomas Newman
13418-039
F.C.I. Oxford
P.O. BOX 1000
Oxford, Wis 53952-1000

3/29/04

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Emanuel Thomas Newman,

Vs.

Ronald L. Jury, et al,

Civil no. 1:CV-01-0677

CERTIFICATE OF SERVICE

I, Emanuel Thomas Newman, pursuant to title 28 U.S.C. § 1746, do hereby upon my oath state that I have served all parties to this civil action via the United States Mail Service, of copies of the attached documents.

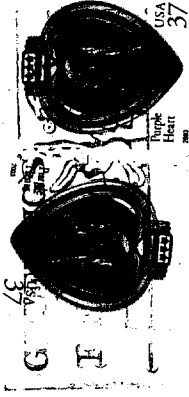
This 29 day of march 2004.

By, Emanuel Thomas Newman
Emanuel Thomas Newman

Copies to: U.S. Attorney
316 Federal Building
240 West Third Street
Williamsport, Pa 17703

U.S. DISTRICT COURT
CLERK OF THE COURT
228 WALNUT STREET
HARRISBURG, PA 17101*
17108

MANUEL T. NEWMAN
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FEDERAL CORRECTIONAL INSTITUTION
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Oxford, Wis 53952-1000



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228 Walnut Street
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LEGAL MAIL